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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- X
AMNESTY INTERNATIONAL USA, CENTER
FOR CONSTITUTIONAL RIGHTS, INC., and
WASHINGTON SQUARE LEGAL SERVICES,
INC.,

Plaintiffs,

v.

CENTRAL INTELLIGENCE AGENCY,
DEPARTMENT OF DEFENSE,
DEPARTMENT OF HOMELAND SECURITY,
DEPARTMENT OF JUSTICE, DEPARTMENT
OF STATE, and THEIR COMPONENTS,

Defendants.
----- X

ECF CASE

STIPULATION

07 CV 5435 (LAP)

WHEREAS, on or about June 7, 2007, Plaintiffs Amnesty International USA ("Amnesty International"), Center for Constitutional Rights, Inc., and Washington Square Legal Services ("WSLS") (collectively, "Plaintiffs") filed a complaint (the "Complaint") in the above-captioned action against defendants the Central Intelligence Agency ("CIA"), the United States Department of Defense ("DOD"), the United States Department of Homeland Security ("DHS"), the United

States Department of Justice ("DOJ"), and the United States Department of State (the "State Department") and their respective components (collectively, the "Defendants");

WHEREAS, the Complaint describes, inter alia, a Freedom of Information Act ("FOIA") request made to DHS, and certain of its components, by Plaintiffs Amnesty International and WSLs on April 25, 2006, captioned "Request Submitted Under the Freedom of Information Act for Records Concerning Detainees, including 'Ghost Detainees/Prisoners,' 'Unregistered Detainees/Prisoners,' and 'CIA Detainees/Prisoners'" (the "Ghost Detainee Request");

WHEREAS, the Complaint raises claims regarding the actions and/or inaction of DHS and certain of its components with respect to the Ghost Detainee Request (the "DHS Ghost Detainee Request Claims");

WHEREAS, in responding to the Ghost Detainee Request, various DHS components and offices conducted searches, including U.S. Citizenship and Immigration Services ("USCIS"), the United States Coast Guard (the "Coast Guard"), and Customs and Border Patrol ("CBP");

WHEREAS, CBP provided Plaintiffs Amnesty International and WSLs with one four-page document (the "CBP Document"), with partial withholdings (the "Partial Withholdings");

WHEREAS, neither USCIS nor the Coast Guard found any documents responsive to the DHS Ghost Detainee Request;

WHEREAS, the parties have agreed upon a summary judgment schedule whereby DHS intends to file a motion for summary judgment regarding the DHS Ghost Detainee Request Claims on November 30, 2007; and

WHEREAS, in the interest of judicial economy, the parties met and conferred regarding the possibility of narrowing the issues to be presented to the Court;


NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and among
Plaintiffs and Defendants, by their respective counsel, as follows:

1. Plaintiffs Amnesty International and WSLS will not challenge the Partial Withholdings with respect to the CBP Document;
2. Plaintiffs Amnesty International and WSLS will not challenge the adequacy of the searches of, and the no records determinations made by, USCIS and Coast Guard in response to the Ghost Detainee Request; and
3. The parties understand and agree that this stipulation contains the entire agreement between them, and that no statements, representations, promises, agreements, or negotiations, oral or otherwise, between the parties or their counsel that are not included herein shall be of any force or effect.

Dated: New York, New York
November 30, 2007

WILMER CUTLER PICKERING
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Attorneys for Plaintiffs


By:


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Dated: New York, New York
November 30, 2007

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